

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA (ALEXANDRIA)

MARCIE D. VADNAIS,

Plaintiff,

v.

SIG SAUER, INC.,

Defendant.

No.: 1:18-cv-00540-LMB-IDD

PLAINTIFF'S PROPOSED VOIR DIRE

Plaintiff Marcie D. Vadnais (Ms. Vadnais), by counsel and hereby files the following proposed voir dire:

QUESTIONS

1. Does everyone understand that we're in civil court, not criminal court? A criminal case is a case for intentional misconduct (e.g., someone intended to cause harm). A civil case is one where no one intended to cause harm but they were careless or negligent. Is everyone clear on that difference?
2. How do you feel about the concept of a company being held financially accountable for unintended harm they might cause by failing to act in a safe manner?
3. Burden of Proof – Preponderance of the Evidence. This burden requires you to return a verdict for the plaintiff if the scales tip even slightly in favor of her version of events. She does not need to prove her case beyond a reasonable doubt. That is the burden the government has in a criminal case.
4. Does anyone think that the preponderance burden of proof should be higher or more

demanding than it is?

5. How many of you have negative feelings about product liability or personal injury lawsuits?
6. How many of you have negative feelings about large jury verdicts?
7. Have any of you had bad experiences with law enforcement officers? Please explain.
8. If the evidence shows that all burdens of proof are met and that damages should be awarded, and that the damages are substantial, how many of you would be reluctant to return a large verdict simply because it is a large sum of money?
9. How many of you have negative feelings about awarding damages for intangible elements of damage such as physical pain and mental anguish?
10. How many of you have negative feelings about awarding damages for intangible elements of damage such as humiliation, embarrassment, or inconvenience?
11. How many of you have reservations about awarding damages for what a person will suffer in the future for the rest of her life because of a harm created by negligence or a defective product?
12. Does anyone here have any special knowledge or experience with firearms? Please describe.
13. Does anyone here think that gun companies should be given special treatment because the Second Amendment recognizes the right to bear arms? If so, please explain why.
14. How many of you have heard of any firearm that may have been defective? Please identify the manufacturer.
15. How many of you feel that if a product claims to meet an alleged industry standard that it cannot be defective no matter what the law or evidence may be?

16. How many believe that no matter what the law is, if a manufacturer meets a minimum safety regulation, that the manufacturer should not be held liable even if it could have made the product safer?

17. Will anyone take issue if the Plaintiff, due to her injuries, is only present for some part of the trial?

Dated: March 13, 2019

PLAINTIFF
MARCIE D. VADNAIS

By:

/s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of March 2019, undersigned counsel has served the plaintiff's proposed Voir Dire electronically to counsel of record for defendant:

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